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IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 30TH DAY OF JUNE 1998

BEFORE

THE HON'BLE MR.JUSTICE H.L.DATTU

WRIT PETITION NO.44173/1995

BETWEEN:

D.P.Nataraja,  
s/o Sri D Pakkeerappa,  
aged 39 yrs, Jr.Asst.  
C.A.S.Office, KPC Ltd., (Varahi)  
Mastikatte-577448.  
Hosanagar tk  
Shimoga dist. ...Petitioner

(By Sri S Krishnalah for petr)

AND:

K.P.C.Ltd.,  
No.82, Shakti Bhavan,  
Race Course road,  
Bangalore-01  
rep. by its Managing Director.

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2. The Superintending Engineer (VBH)

K.P.C.Ltd.,

Mastikatte-577 448.

Hosanagar tk,

Shimoga dist.

..Respondents.

(By Sri S N Murthy for Resps)

W.P filed u/a 226 of the constitution of India with an affidavit praying to: Declare vide Annex.G dt dt.4.12.95 by R.2 as inoperative and unsustainable in Law and etc.,

W.P.is coming on for Prly.hg in B group this day, the court made the following:

#### ORDER

Petitioner is an employee working in the respondent organisation. He was before this Court mainly aggrieved by the show cause notice issued by the respondent authority dated 4.12.1995.

This Court while entertaining the writ petition had granted an interim order of stay. The said interim order came to be modified by this Court on an application filed by the respondents permitting the respondents to pass final orders.

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Now Smt. Sheela Krishna learned counsel appearing for the petitioner informs me that the respondent authorities have already passed the final orders. In view of that submits that she may be permitted to approach the appropriate forum against the orders made by the respondents.

The service regulations of the respondent authority provides for an alternate remedy against the final orders made by the disciplinary authority. That remedy is an effective and efficacious remedy. In my view petitioner has to approach the appellate authority as provided under the service regulations if for any reason he is aggrieved by the final orders made by the disciplinary authority.

In that view of the matter this writ petition is disposed off reserving liberty to the petitioner to prefer an appeal against the final orders made by the disciplinary authority of the respondents within a month from today. If such an appeal is preferred

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preferred by the petition within the time granted by this Court, the appellate authority shall consider and decide the appeal on merits without reference to the period of limitation. All the contentions of both the parties are left open. Ordered accordingly.

Sd/-Judge.

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r.by;

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c.by;

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Assistant Registrar  
High Court of Karnataka  
Bangalore-560 001

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